

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK**

RACHEL BARNHART,

Plaintiff,

-against-

THE CITY OF ROCHESTER, a municipal entity,
“JOHN DOE POLICE OFFICERS 1-200” (names and
number of whom are unknown at present), THE COUNTY
OF MONROE, TODD BAXTER, “RICHARD ROE
SHERIFF’S DEPUTIES 1-200” (names and number of
whom are unknown at present), and other unidentified
members of the Rochester Police Department and Monroe
County Sheriff’s Office,

Defendants.

Case No. 21-cv-6718

**DECLARATION IN
SUPPORT OF MOTION
TO DISMISS**

Pursuant to 28 U.S.C. §1746, Maria E. Rodi, declares as follows:

1. I am a Senior Deputy County Attorney acting of counsel to County Attorney John P. Bringewatt, attorney of record for the defendants, the County of Monroe, Todd Baxter and “Richard Roe” Monroe County Sheriff’s Deputies 1-200, hereinafter referred to jointly as the County Defendants, and I am fully familiar with the facts and circumstances of this action.

2. I submit this declaration in support of the County Defendants’ motion pursuant Fed. R. Civ. P. Rule 12(b)(6) seeking dismissal of the Complaint as against the County Defendants, with prejudice.

3. Annexed hereto as **Exhibit A** is the Complaint filed by the plaintiff in this action.

4. For the reasons set forth in the accompanying memorandum of law, the Complaint should be dismissed with prejudice as against the County Defendants.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on February 28, 2022

s/ Maria E. Rodi

Maria E. Rodi